

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 51, "Game Management Areas," Iowa Administrative Code.

Chapter 51 establishes state-owned lands and waters under the jurisdiction of the Department of Natural Resources as game management areas to preserve the biological balance, to protect public parks and public health, safety and welfare, and to effect sound wildlife management.

These amendments add all of Pool 15 and the portion of Pool 14 below the National Wildlife and Fish Refuge to those pools of the Mississippi River where the use of stationary blinds and waterfowl decoys is allowed.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 8, 2009, as **ARC 7693B**. A public hearing was held on April 29, 2009. There were 22 comments received, and 21 favored the proposed changes. Since the Notice was published, a new Item 4 has been added to remove a sentence from paragraph 51.6(4)"b" that is no longer relevant.

These amendments are intended to implement Iowa Code sections 456A.24(2)"a" and 481A.6.

These amendments shall become effective August 5, 2009.

The following amendments are adopted.

ITEM 1. Amend subrule 51.6(1), introductory paragraph, as follows:

51.6(1) Stationary blinds. The construction and use of stationary blinds on all game management areas, except on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, and on Pools 15, 16, 17, and 18 of the Mississippi River, are restricted as follows:

ITEM 2. Amend subrule 51.6(3), introductory paragraph, as follows:

51.6(3) Use of waterfowl decoys. The use of waterfowl decoys on any game management area, except on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, and on Pools 15, 16, 17, and 18 of the Mississippi River, is restricted as follows:

ITEM 3. Amend subrule 51.6(4), introductory paragraph, as follows:

51.6(4) Use of stationary blinds and waterfowl decoys on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, and on Pools 15, 16, 17, and 18 of the Mississippi River. The use of permanent blinds for waterfowl hunting on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, and on Pools 15, 16, 17, and 18 of the Mississippi River is restricted as follows:

ITEM 4. Amend paragraph **51.6(4)"b"** as follows:

b. Construction. Blinds must have minimum dimensions of 4 feet by 8 feet and not greater than 500 square feet of floor space, not including a boat hide. The blind must be constructed of biodegradable materials, including nontreated dimensional lumber and nontreated plywood, unless the blind will be removed at the end of the waterfowl season. The use of metal or nylon fasteners, including but not limited to nails, screws, lag bolts, staples and ties, is allowed. Treated lumber, treated plywood, woven wire, chicken wire, cattle panels, tin and sheet metal, vinyl and plastic, and other nonbiodegradable materials are not allowed unless those materials or the entire blind is removed within three days after the close of the waterfowl season. ~~All existing blinds are exempted from conforming to these construction~~

~~requirements until September 1, 2008, except that all repair, modification or new construction of blinds must conform to these construction requirements.~~

[Filed 6/12/09, effective 8/5/09]

[Published 7/1/09]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/1/09.